United Nations A/60/6 (Sect. 7)

General Assembly

Distr.: General
22 April 2005

Original: English

Sixtieth session

Proposed programme budget for the biennium 2006-2007*

Part III
International justice and law

Section 7
International Court of Justice

Contents

		Page
	Overview	2
	A. Members of the Court	5
	B. Registry	5
	C. Programme support	8
Annex		
	Workload indicators, 2006-2007	12

* A summary of the approved programme budget will subsequently be issued as *Official Records of the General Assembly, Sixtieth Session, Supplement No. 6* (A/60/6/Add.1).

05-32024 (E) 120505

Overview

7.1 Regulation 2.14 of the Financial Regulations and Rules of the United Nations provides that the programme budget proposals of the International Court of Justice should be prepared by the Court, in consultation with the Secretary-General, and that those proposals should be submitted to the General Assembly by the Secretary-General, together with such observations as he may deem desirable. The proposals of the Court are hereby submitted. The Court's proposals for the biennium 2006-2007 are fully supported by the Secretary-General.

7.2 The International Court of Justice, composed of 15 judges elected by the General Assembly and the Security Council, is one of six principal organs of the United Nations and is the principal judicial organ of the Organization. It functions in accordance with its Statute, which is an integral part of the Charter of the United Nations. The Court decides, in accordance with international law, disputes submitted to it by States, and it may give advisory opinions on any legal question at the request of bodies authorized to make such a request by the Charter or in accordance with its provisions. A total of 191 States are parties to the Statute of the Court, and 65 of them have recognized the Court's jurisdiction as compulsory, in accordance with Article 36, paragraph 2, of its Statute. In addition, more than 300 bilateral and multilateral treaties grant the Court jurisdiction in the resolution of disputes arising from their application or interpretation. The Court submits annual reports to the General Assembly, the most recent of which is contained in document A/59/4.

7.3 Neither the activities of the Court nor those of the Registry are covered in the biennial programme plan and priorities for the period 2006-2007. The Court must at all times be able to exercise the functions entrusted to it if the terms and intent of the Charter are to be respected. The Court notes that, although it is inherently impossible to forecast its main workload indicators (e.g., the number of cases that will be pending before the Court in 2006-2007 and the number of new proceedings that will be instituted, including incidental proceedings in pending cases), efforts have been made to assess its requirements for the biennium 2006-2007 against the background of the Court's workload for previous bienniums and the current one.

7.4 An assessment of estimated requirements of the International Court of Justice for the biennium 2006-2007 needs to be measured against the background and complexity of its workload. At the time of the 2006-2007 budget submission, the Court was seized of 21 cases submitted from around the world, with varied subject matter. In several of these cases, the submission of preliminary objections will lead to two separate sets of proceedings, each involving the submission of written pleadings and the holding of oral hearings leading to separate judgments, thereby further affecting the Court's caseload. The number of pleadings could also increase as a result of the raising of counterclaims by a respondent or the intervention of a State in a pending case. In addition to addressing the cases on its docket, the Court must be prepared to examine, with priority over other matters, all requests it receives for the indication of provisional measures.

7.5 In compliance with the recommendation of the Advisory Committee on Administrative and Budgetary Questions in its first report on the proposed programme budget for the biennium 2004-2005 (A/58/7 and Corr.1), elements of results-based budgeting have been introduced in the current proposals for non-judicial functions of the Registry. In the same report, the Advisory Committee also requested a comprehensive expert study on how to streamline and modernize the proceedings and workflow processes of the Court, including an examination of how this could be accomplished by using information and communication technology. A synopsis of the study conducted by a consultant in response to that request is included in table 7.8.

7.6 The overall level of resources requested for the International Court of Justice for the biennium 2006-2007 amounts to $35,364,600 before recosting, reflecting growth of $428,600 (1.2 per cent). The growth reflects the effect of the delayed impact of the two new General Service (Other level)

posts approved for the biennium 2004-2005 in General Assembly resolution 58/295 in connection with the first phase of the strengthening of security and safety, and an increase due to the proposed establishment of two new posts (1 P-4 to head the Computerization Division and 1 P-3 for a Legal Officer for the Office of the President of the Court) in the biennium 2006-2007, partially offset by a reduction in non-post objects of expenditure. In addition, it is proposed that two temporary General Service (Other level) posts be converted to established posts in the biennium 2006-2007. No additional requirements would result from this conversion.

7.7 The percentage distribution of resources under this section is as shown in table 7.1

Table 7.1 **Percentage distribution of resources by component**

Component	*Regular budget*
A. Members of the Court	23.9
B. Registry	61.4
C. Programme support	14.7
Total	**100.0**

7.8 The distribution of resources is summarized in table 7.2, and post requirements are set out in table 7.3.

Table 7.2 **Resource requirements by component**

(Thousands of United States dollars)

Regular budget

Component	*2002-2003 expenditure*	*2004-2005 appropriation*	*Resource growth*		*Total before recosting*	*Recosting*	*2006-2007 estimate*
			Amount	*Percentage*			
A. Members of the Court	9 162.5	8 291.1	163.6	2.0	8 454.7	55.8	8 510.5
B. Registry	14 658.6	21 365.5	359.2	1.7	21 724.7	1 462.7	23 187.4
C. Common services	4 278.9	5 279.4	(94.2)	(1.8)	5 185.2	79.2	5 264.4
Total	**28 100.0**	**34 936.0**	**428.6**	**1.2**	**35 364.6**	**1 597.7**	**36 962.3**

Regular budget resource requirements by component

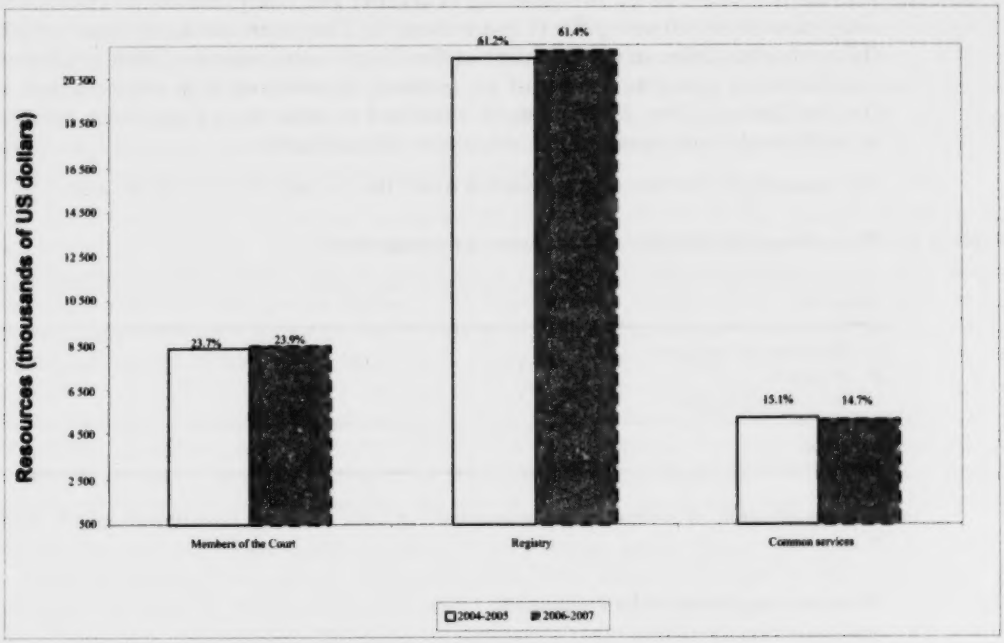


Table 7.3 **Post requirements**

Category	*Established regular budget posts*		*Temporary posts*				*Total*	
			Regular budget		*Extrabudgetary*			
	2004-2005	*2006-2007*	*2004-2005*	*2006-2007*	*2004-2005*	*2006-2007*	*2004-2005*	*2006-2007*
Professional and above								
ASG	1	1	—	—	—	—	1	1
D-2	1	1	—	—	—	—	1	1
D-1	1	1	—	—	—	—	1	1
P-5	3	3	—	—	—	—	3	3
P-4/3	17	19	12	12	—	—	29	31
P-2/1	10	10	—	—	—	—	10	10
Subtotal	**33**	**35**	**12**	**12**	**—**	**—**	**45**	**47**
General Service								
Principal level	6	6	—	—	—	—	6	6
Other level	45	47	2	—	—	—	47	47
Subtotal	**51**	**53**	**2**	**—**	**—**	**—**	**53**	**53**
Total	**84**	**88**	**14**	**12**	**—**	**—**	**98**	**100**

A. Members of the Court

Resource requirements (before recosting): $8,454,700

7.9 The conditions of service and compensation of members of the Court are subject to review by the General Assembly every three years. Additional requirements resulting from decisions of the Assembly in connection with the review of conditions of service and compensation during the first part of its resumed fifty-ninth session will be reflected in the context of the recosting prior to its adoption of the proposed programme budget for the biennium 2006-2007 at its sixtieth session.

7.10 In its resolution 56/285, the Assembly approved the emoluments ($160,000 per year), pensions and other conditions of service of members of the International Court of Justice (including the allowance of $15,000 per year for the President of the Court and $94 per day, up to $9,400 per year, for the Vice-President when acting as President). In accordance with the provisions of section IV of General Assembly resolution 59/276, a provision of $400,000 is included to accommodate the recurring requirements for ad hoc judges. This provision will be supplemented, as the need arises, by commitments entered into under the provisions of the resolution on unforeseen and extraordinary expenses to be adopted by the Assembly at its sixtieth session.

Table 7.4 Resource requirements

	Resources (thousands of United States dollars)		*Posts*	
Category	*2004-2005*	*2006-2007 (before recosting)*	*2004-2005*	*2006-2007*
Non-post	8 291.1	8 454.7	—	—
Total	**8 291.1**	**8 454.7**	**—**	**—**

B. Registry

Resource requirements (before recosting): $21,724,700

7.11 Since the Court is both a judicial body and an international institution, its Registry must provide judicial support and also act as an international secretariat. The Registry provides legal, diplomatic, linguistic and other technical support for the Court. It is responsible for administration, conference services, computerization, archives, distribution and documentary and library services, and is also the regular channel for communications to and from the Court. The Registrar and Deputy Registrar are elected for a term of seven years and may be re-elected. The staff of the Registry is appointed by the Court in accordance with Article 21, paragraph 2, of its Statute.

Table 7.5 **Objectives for the biennium, expected accomplishments, indicators of achievement and performance measures**

Objective of the Organization: To serve the needs of the Court in an efficient and effective manner.

Expected accomplishments of the Registry	Indicators of achievement
(a) Timely issuance of reports	(a) Percentage of reports/publications issued within established deadlines *Performance measures*: 2002-2003: 85 per cent Estimate 2004-2005: 90 per cent Target 2006-2007: 95 per cent
(b) Increased public awareness and understanding of the work of the Court	(b) (i) Increased number of visitors to the Court's website *Performance measures*: 2002-2003: 1,080,000 Estimate 2004-2005: 1,700,000 Target 2006-2007: 2,000,000 (ii) Increased number of requests for information *Performance measures*: 2002-2003: 50,630 Estimate 2004-2005: 52,000 Target 2006-2007: 52,400
(c) Strengthened staff/management relations	(c) Increased percentage of staff appraised under the Performance Appraisal System *Performance measures*: 2002-2003: 0 Estimate 2004-2005: 80 per cent Target 2006-2007: 95 per cent
(d) Improved availability and access to Registry records	(d) Increased number of records available for use *Performance measures*: 2002-2003: 105,420 pages Estimate 2004-2005: 60,200 pages Target 2006-2007: 102,900 pages

Outputs

7.12 The following outputs will be delivered during the biennium 2006-2007:

(a) Annual reports of the Court to the General Assembly: reports for 2005-2006 (A/61/4) and 2006-2007 (A/62/4);

(b) *ICJ Yearbooks*: manuscripts, in the two official languages of the Court, of the *Yearbooks* for 2005-2006 (No. 60) and 2006-2007 (No. 61);

(c) Summaries of decisions: summaries of judgments and advisory opinions of the Court, as well as of certain important orders, intended for the legal/academic community;

(d) Website of the Court: development of a new website using dynamic technology; data transfer from the present site to the new one; creation of website content, including new sections (e.g., photo gallery);

(e) Press releases: press releases concerning the Court's activities to the local, national and international press;

(f) Information material: fact sheets (approximately 10-15); creation of press kit and flyer on the Court;

(g) Public sittings: organization of the Court's public sittings and liaison with the parties during those sittings;

(h) Visits: organization of visits of Heads of States and of members of Government; reception of a great number of diplomatic, legal and academic visitors, students and journalists, individually or in groups; tours for visitors of judges;

(i) Protocol activities: contacts with the authorities of the host Government and with international organizations (especially in the Peace Palace and elsewhere in The Hague) concerning events attended by members of the Court and the Registrar, as well as other matters in the field of relations with the host country;

(j) Sixtieth anniversary of the Court: organization of a solemn sitting (in April 2006) and other activities such as conferences, as well as possibly a publication;

(k) Applications, special agreements, requests, written pleadings and verbatim records of oral proceedings, records of private meetings of the Court, judgments, advisory opinions, orders, the Court's regular publications;

(l) Electronic archiving: scanning and indexing records of the Court.

Table 7.6 **Resource requirements**

	Resources (thousands of United States dollars)		*Posts*	
Category	*2004-2005*	*2006-2007 (before recosting)*	*2004-2005*	*2006-2007*
Post	19 353.4	19 813.0	98	100
Non-post	2 012.1	1 911.7	—	—
Total	**21 365.5**	**21 724.7**	**98**	**100**

7.13 Resources in the Registry will be augmented by the addition of two new posts (1 P-4 and 1 P-3). The P-4 post will strengthen the computerization operations, particularly addressing the lack of strategic planning and direction capacity, which is one of the immediate concerns identified in the comprehensive study requested by the Advisory Committee in the context of the proposed programme budget for 2004-2005. The proposed P-3 post relates to a Legal Officer with adequate qualifications and experience to support the Office of the President of the Court. The new post resources are sought so as to enable the Registry to increase its capacity to support the increased workload of the Court. In addition, it is proposed that two General Service (Other level) temporary posts be converted to established status because of the continuing nature of the functions. The incumbents of these two posts perform all clerical and administrative support functions in the Department of Linguistic Matters and the Department of Press and Information Matters, respectively. The reduction in non-post resources relates largely to the reduction in general temporary assistance owing to reduced requirements.

C. Programme support

Resource requirements (before recosting): $5,185,200

7.14 The provision under programme support relates to the common service requirements of the International Court of Justice and its Registry, including, in particular, the contribution of the United Nations to the Carnegie Foundation for use of the Peace Palace. It also covers the cost of the publications of the Court, the acquisition of supplies and equipment and general operating expenses.

Table 7.7 **Resource requirements**

	Resources (thousands of United States dollars)		*Posts*	
Category	*2004-2005*	*2006-2007 (before recosting)*	*2004-2005*	*2006-2007*
Non-post	5 279.4	5 185.2	—	—
Total	**5 279.4**	**5 185.2**	**—**	**—**

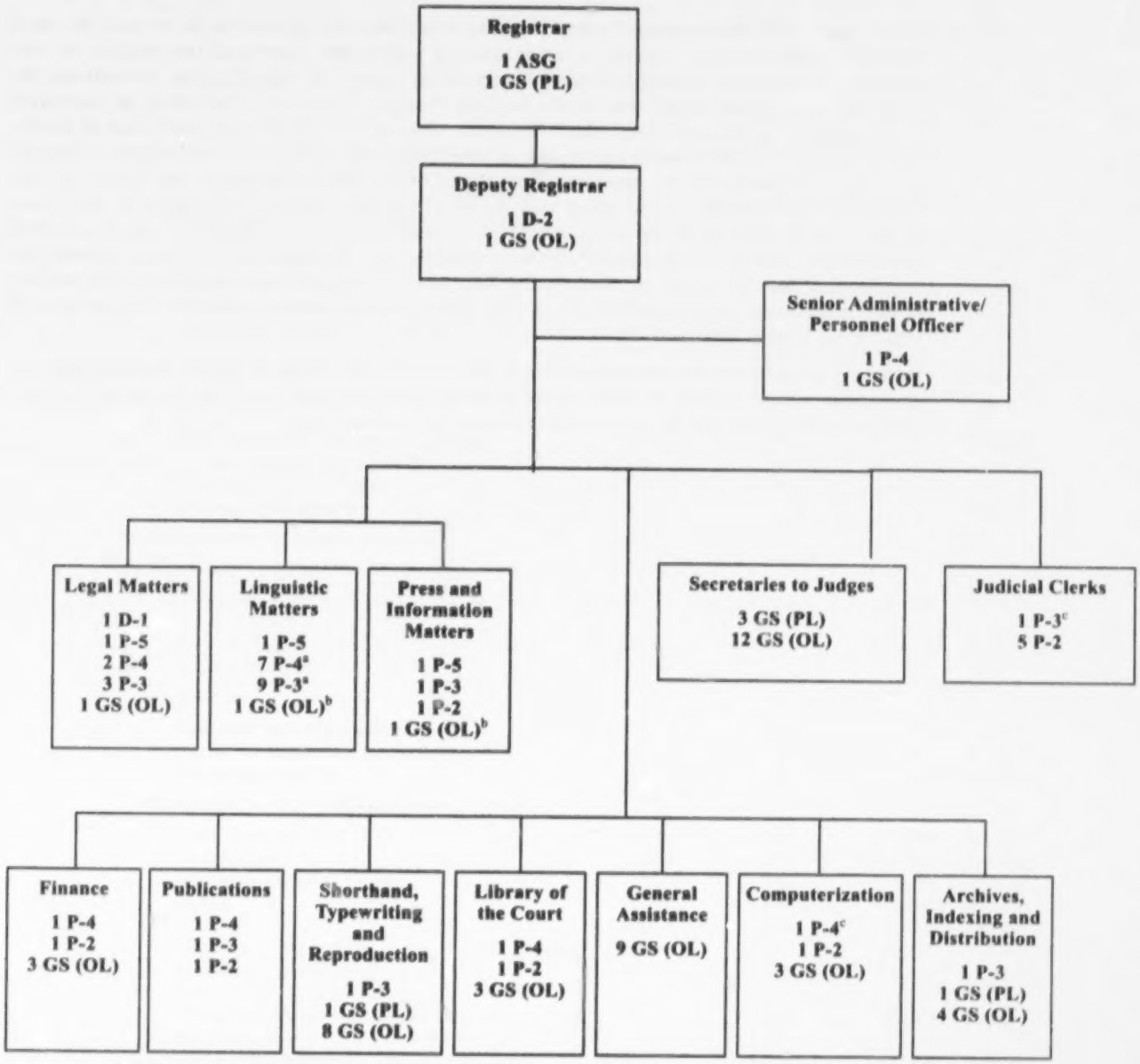
7.15 Resources under programme support will be realigned by reducing provisions for general operating expenses and furniture and equipment on the basis of expenditure pattern; the reduction will be partially offset by increased requirements for contractual services and supplies and materials. The increased requirements relate to the Court's operating needs, particularly in external translation and printing and data-processing services.

Table 7.8 **Summary of follow-up action taken to implement relevant recommendations of the oversight bodies**

Brief description of the recommendation	*Action taken to implement the recommendation*
Advisory Committee on Administrative and Budgetary Questions (A/58/7, chap. II)	
The Committee recommends that, in addition to current methods of translation, remote translation be utilized where feasible (para. III.19).	The Court recently attempted on a major occasion to implement remote translation and contacted relevant offices within the United Nations Secretariat. Unfortunately, none of those offices was able to grant this request for assistance, citing various reasons, notably scarcity of resources and heavy pre-existing demands.
The Advisory Committee reiterates its request for a comprehensive expert study on how to modernize the proceedings and workflow processes of the Court. The study should examine how the management of the Court, its administrative procedures and practices and workflow could be further streamlined using appropriate modern management information systems. The workflow processes study should cover information and communication technology, conference services, interpretation, translation, publication, printing and distribution (para. III.23).	The requested study was recently completed by a consultancy firm. It has identified a number of key workflow elements that are critical to the flow of information through the Court and that will require both urgent changes in the way information is managed and an upgrading of existing staff to deal with the new or expanding systems that will be required by the Court. The consultant's study identified the following issues as immediate concerns: (a) There is a significant risk that neither the existing programme of work nor the potential work arising from the study will be completed in a timely manner without an adequate number of appropriately skilled support staff; (b) With the amount of work the Information Technology Division is required to achieve, there is concern that without proper direction, resources and expertise it will not achieve the Court's required outcomes and goals. Resource and logistical options, including outsourcing some elements of the work plan, need to be considered; (c) Immediate steps should be taken (once additional staff have been employed) to establish and review a short-term operational plan, to be followed by a mid-term and long-term strategic plan;

Brief description of the recommendation	*Action taken to implement the recommendation*
	(d) The development of a workflow map should be completed and finalized, clearly identifying the systems and information required by the Department of Legal Matters; (e) Because of the constant need for and importance of the performance of the duties of the administrative assistant position in the Department of Linguistic Matters, the position should be made permanent and the grade of the position should be reviewed for appropriateness; (f) The Department of Press and Information Matters should be strengthened to support the broad range of tasks in the dissemination of print, broadcast and other materials in the development of the new dynamic website of the Court and in the daily management and supervision of the website content; (g) Because of the freeze in recruitment, a vacant General Service post in the Archives, Indexing and Distribution Division has caused a delay in the scanning and indexing of documents, making retrieval and consultation difficult; (h) Resource and process issues in the Archives, Indexing and Distribution Division should be addressed in the short to medium term; a refocusing of the Division to complete electronic management of the archives records is essential.

International Court of Justice
Organizational structure and post distribution for the biennium 2006-2007



[a] Includes 3 P-4 and 9 P-3 temporary posts.
[b] Converted from temporary posts.
[c] New posts.

Annex

Workload indicators, 2006-2007

A.7.1 In the case of the International Court of Justice, it is inherently impossible to forecast the main workload indicators (the number of cases pending before the Court and the number of new proceedings instituted, including incidental proceedings in pending cases). Unlike, for instance, the International Tribunals established by the Security Council, where new proceedings are instituted by an organ of the Tribunal itself (the Office of the Prosecutor), the International Court of Justice has no control over the number and timing of new proceedings. New cases are brought before the Court by States, and advisory opinions are requested of the Court by organs of the United Nations and specialized agencies, all of which may do so at any time, without prior notice to the Court. When a case is pending before the Court, it is not possible to foresee whether and when incidental proceedings (requests for provisional measures, preliminary objections, counterclaims, requests for intervention) may be instituted. Historically, there have been significant variations in the number of new proceedings commenced in a given year, although in recent times there has been an upward trend in the Court's caseload.

A.7.2 In terms of workload, the institution of new proceedings (including incidental proceedings) in a given year usually requires the deployment of resources over several years. The workload in 2006-2007 will thus be affected by proceedings instituted in previous years.

Table A.7.1 Workload indicators

Description	*2002-2003*	*2004-2005 (estimate)*	*2006-2007 (estimate)*	*Unit*
Department of Legal Affairs				
Cases pending	22	21 (as of December 2004)	Unforeseeable[a]	Number
New proceedings instituted (including incidental proceedings)	7	Unforeseeable[b]	Unforeseeable[b]	Number
Judgments, advisory opinions and substantive orders (in particular on incidental proceedings)	9	12	Unforeseeable[b]	Number
Cases disposed of	8	Unforeseeable[b]	Unforeseeable[b]	Number
Procedural orders	26	26	26	Number
Case-related letters received	1 078	1 820[c]	1 900[c]	Number
Case-related letters prepared	1 796	2 020[c]	2 100[c]	Number
Case-related distributions prepared	497	960[c]	1 000[c]	Number
Provisional verbatim records of Court meetings prepared	148	190	200	Number
Provisional verbatim records (number of pages)	700	890	900	Pages
Rules Committee distributions prepared	38	40	42	Number
Research memorandums and papers	200	240	250	Number
Speeches of the President	30	31	32	Number
Indexes to *ICJ Reports*	2	2	2	Number
Department of Linguistic Matters				
Translation				
Documents directly related to the Court's judicial activities	10 864 195	11 200 000	11 324 500	Words
Documents not directly related to the Court's judicial activities	1 234 472	1 194 312	1 200 000	Words
Interpretation				
Public sittings of the Court	84	110	110	Number
Private meetings of the Court	132	127	140	Number
Committee meetings	42	35	40	Number
Department of Press and Information Matters				
Publications prepared	1 950	2 000	2 500	Pages
Press releases	160	180	180	Number
Internal distributions prepared		150	150	Number
Letters	215	200	200	Number
Faxes	390	400	400	Number
Telephone queries and document requests	32 650	34 000	34 200	Number
Queries/document requests by e-mail	17 980	18 000	18 200	Number
Official visits (Heads of State)	4	5	5	Number
Visiting groups (universities, law societies, diplomats, etc.)	201	220	200	Number
Visitors (universities, law societies, diplomats, etc.)	5 286	5 300	5 400	Number
Archives, Indexing and Distribution Division				
Electronic archiving of documents				
– Case files	48 361	31 500[d]	45 700	Pages
– Administrative files	41 919	19 200[d]	33 400	Pages

Description	*2002-2003*	*2004-2005 (estimate)*	*2006-2007 (estimate)*	*Unit*
– Chronological files	15 140	9 500[d]	23 800	Pages
– Pleadings	37 061	48 400[d]	62 650	Pages
– Other document (Permanent Court of International Justice and International Court of Justice)	105 728	32 000	110 600	Pages
Number of documents distributed	1 272	1 500	1 500	Number
Outgoing mail (including case-related mail)	8 574	8 600	8 800	Number
Incoming mail (including case-related mail)	6 262	6 300	7 500	Number
Typing Pool				
(includes transcriptions, corrections, text-processing, shorthand and proofreading)				
Documents directly related to the Court's judicial activities (written pleadings, verbatim records, distributions related to cases, notes, amendments, judgments/advisory opinions/orders, judges' opinions	36 658	45 500	49 000	Pages
Documents not directly related to the Court's judicial activities (general distributions, speeches of the President, private meetings of the Court, reports of the Court)	1 321	3 100	3 200	Pages
Letters	2 135	2 500	2 600	Number
Reproduction				
Reproduction requests	5 353 091	7 000 000	7 300 000	Pages
Library and Documents Department				
Collection books maintained	49 798	51 292	52 900	Number
Total information requests	10 230	11 250	11 300	Number
New acquisitions (orders)	800	1 040	1 040	Number
Finance Division				
Payroll				
– Established and biennial posts	91	98	100	Number
– Freelance interpreters	74	75	80	Number
– Freelance translators	45	45	50	Number
Personnel contracts pre-audited	402	250	250	Number
Ad hoc judges	28	26	Unforeseeable[e]	Individuals
Invoices processed	1 724	1 450	1 800	Number
Purchase orders	106	120	130	Number
Travel claims processed	172	180	190	Number
Computerization Division				
Workstations/personal computers installed and serviced	135	140	160	Number
Servers installed and serviced	7	5	10	Number
Network systems	3	2	2	Number
Websites (including mirrors)	5	5	6	Number
Visitors to the website	1 080 000	1 700 000	2 000 000	Number
Publications Division				
Applications	560	2 240[e,f]	Unforeseeable[e]	Pages
Decisions of the Court (judgments, orders)	3 150	3 950	2 580[e]	Pages
Indexes	172	200	300	Pages
Bound volumes (collation and printing)	4 980	2 818	4 140	Pages
Volumes of the Pleadings Series	2 500	8 334	7 200	Pages

Description	*2002-2003*	*2004-2005 (estimate)*	*2006-2007 (estimate)*	*Unit*
Annuaires	824	780	820	Pages
Yearbooks	784	780	800	Pages
Bibliographies	404	—	400	Pages
List of members of the Court	16	12	24	Pages
Acts and documents of the Court (bilingual)	—	300	—	Pages
Handbook (English and French)	—	500	—	Pages
Catalogues (English and French)	500	116	—	Pages
Addenda to catalogues	—	—	16	Pages
Illustrated book on the Court (English and French)	—	—	800	Pages
Personnel Division				
Staffing table (established and biennial posts)	—	84	98	Posts
Contracts (personnel)	—	250	250	Number
Recruitment (processing of curricula vitae)	—	500	500	Number
Personnel actions (dependency and education grant claims, family status, rental subsidy, home leave actions, etc.)	—	560	560	Number
Letters (insurance, United Nations Joint Staff Pension Fund, acknowledgements)	—	600	600	Number
Processing of leave request and reports	—	2 800	2 800	Number

[a] See para. A.7.1 above. It is impossible to foresee what other cases might be filed during this period.

[b] See para. A.7.1 above. It is difficult to make a credible forecast.

[c] These figures could increase considerably as a result of the institution of new proceedings. See para. A.7.1 above.

[d] Electronic archiving has been slowed down by the resignation in May 2004 of a General Service staff member who was jointly responsible for this activity, and the freeze on recruitment of General Service staff has prevented the Court from recruiting for this vacancy.

[e] See para. A.7.1 above.

[f] Including annexes.